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Atty Docket No:	LP-02-019

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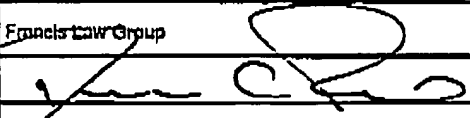
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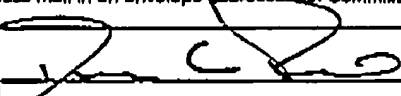
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10789,105
	Filing Date	February 27, 2004
	First Named Inventor	Claire Roberts
	Art Unit	1848
	Examiner Name	C. Bergoost
	Attorney Docket Number	LP-03-019
Total Number of Pages in This Submission		8

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavit/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks _____		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Francis Law Group		
Signature			
Printed name	Ralph C. Francis		
Date	November 23, 2005	Reg. No.	38,884

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Date	November 23, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:)
)
ROBERTS, et al.)
)
FOR: REGULATION OF CYTOTROPHOBLAST)
CELL DIFFERENTIATION)
AND CELL MIGRATION)
)
SERIAL NO. 10/789,105)
)
FILED: February 27, 2004)
)
ART UNIT NO: 1649)
)
EXAMINER: Borgeest, C.)
)
Attorney Docket No: LP-02-019)

RENEWED PETITION UNDER 37 C.F.R 1.78(a)(3)

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Renewed Petition under 37 C.F.R. 1.78(a)(3) to accept an unintentionally delayed claim under 35 U.S.C § 120 for the benefit of priority to prior-filed International Application No. PCT/AU02/01226.

In the November 16, 2005 Decision dismissing the earlier filed Petition, the Petitions Attorney indicated that the Amendment filed October 17, 2005 (i.e. Amendment C) failed to comply with the provisions of 37 C.F.R. 1.78(a)(2)(iii) and was therefore unacceptable. Applicants are accordingly filing concurrently herewith a substitute Amendment providing that the subject application is a continuation application of International Application No. PCT/AU02/01226. A copy of the Substitute Amendment is attached in Appendix A.

The Petitions Attorney has further indicated that Applicants' statement that the

Renewed Petition
Application No. 10/789,105

Attorney Docket No: LP-02-019

delay in claiming priority was unintentional varies from the language required under 37 C.F.R. 1.78(a)(3). Applicants' accordingly submit that the entire delay between the date the claim was due under 37 C.F.R. 1.78(a)(2)(ii) and the date the claim was filed was unintentional.

Respectfully submitted,
FRANCIS LAW GROUP

By: 

Ralph C. Francis
Reg. No. 38,884

Dated: November 23, 2005
1942 Embarcadero
Oakland, CA 94606
Tel: 510.533.1100

Appendix A

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:)
)
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FOR: REGULATION OF CYTOTROPHOBLAST)
CELL DIFFERENTIATION)
AND CELL MIGRATION)
)
SERIAL NO. 10/789,105)
)
FILED: February 27, 2004)
)
ART UNIT NO: 1649)
)
EXAMINER: Borgeest, C.)
)
Attorney Docket No: LP-02-019)

SUBSTITUTE AMENDMENT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

This amendment is being filed concurrently with a Renewed Petition under 37 C.F.R. 1.78(a)(3) to accept an unintentionally delayed claim under 35 U.S.C § 120 for the benefit of priority to prior-filed International Application No. PCT/AU02/01226.

Amendments to the Specification begin on page 2 of this paper.

Remarks begin on page 3 of this paper.

Substitute Amendment
Application No. 10/789,105

Attorney Docket No: LP-02-019

In the Specification:

On page 1 of the specification, after the Title, please replace the first paragraph with the following amended paragraph:

This application is filed pursuant to ~~35 U.S.C. § 371~~ as a United States National Phase Application of a continuation application of International Application No. PCT/AU02/01226, filed August 30, 2002, which claims priority from ~~Australia Application No. PR7331, filed August 30, 2001.~~

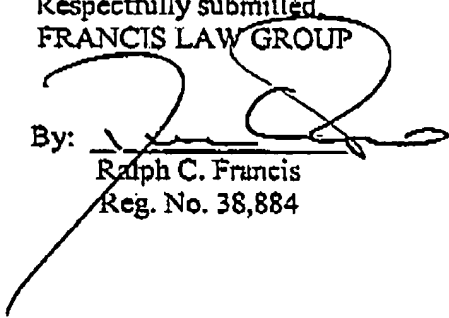
Substitute Amendment
Application No. 10/789,105

Attorney Docket No: LP-02-019

REMARKS

As indicated, this amendment is being submitted in conjunction with a Renewed Petition under 37 C.F.R. 1.78(a)(3) to accept an unintentionally delayed claim under 35 U.S.C § 120.

Respectfully submitted,
FRANCIS LAW GROUP

By: 
Ralph C. Francis
Reg. No. 38,884

Dated: November 23, 2005
1942 Embarcadero
Oakland, CA 94606
Tel: 510.533.1100